



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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OFFICE OF PETITIONS

Application of: Dung H. KY

Application No.: 10/022,947

Filed: December 17, 2001

For: SYSTEM AND METHOD FOR SPEECH
RECOGNITION AND TRANSCRIPTION

Attorney Docket No.: 25241.0002

Group Art Unit: 2654

Examiner: HARPER, Paul V.

**PETITION FOR REVIVAL OF AN UNINTENTIONALLY
ABANDONED PATENT APPLICATION UNDER 37 CFR 1.137(b)**

Mail Stop Petition

Commissioner for Patents
Alexandria, VA 22313-1450

Sir:

Applicant, through the undersigned, files this Petition for revival of this application, which appears to have become abandoned for failure to file a timely and proper reply to the Final Office Action dated April 21, 2003. This Petition is accompanied by the reply to the outstanding Office Action, the petition fee as set forth in 37 C.F.R. § 1.17(m), and Applicant's statement that the entire delay in filing the required reply from the due date for the reply until the filing of this Petition was unintentional. In further support of this petition, Applicant submits the following remarks in compliance with the requirements of 37 CFR §1.137(b):

1. Petition Fee:

The fee for filing this petition for the revival of an unintentionally abandoned application is believed to be \$665 (Applicant qualifies for small entity status). Please charge the appropriate fee, including any credit or overpayment, to Swidler Berlin Shereff Friedman, LLP Deposit Account No. 19-5127 (order no. 25241.0002). A fee transmittal sheet is enclosed.

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2. Reply

In reply to the Final Office Action, Applicant submits herewith a Request for Continued Examination under 37 CFR §1.114, with provision for payment of the requisite fee and a response to the Final Office Action. Applicants believe that the filing of this RCE with a response to the Final Office Action satisfies the reply requirement of this petition.

3. Terminal Disclaimer

Applicant believes no terminal disclaimer is required for this petition since this utility application was filed after June 8, 1995.

4. Entire Delay was Unintentional

The entire delay in filing the required reply from the reply due date for the Final Office Action until the filing of a grantable petition under 37 CFR §1.137(b) was unintentional. This petition is filed: (A) prior to notification of the application's abandonment; and (B) within 1 year of the date of abandonment of the application.

CONCLUSION

Authorization for the fee for this petition is provided above, and authorization for the filing of an RCE is attached herewith. A fee transmittal sheet is also enclosed. No other fees are believed to be due at this time. Should any fee be required, however, please charge such fees to Swidler Berlin Shereff Friedman, LLP Deposit Account No. 19-5127 (order no. 25241.0002).

Dated: July 13, 2004

By: 

Respectfully submitted,
SWIDLER BERLIN SHEREFF FRIEDMAN, LLP

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